

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

JOSE LUIS GONZALEZ
Reg. #24451-179

PLAINTIFF

V.

NO. 2:05cv00269 SWW-JWC

LINDA SANDERS, et al

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommendations received from Magistrate Judge Jerry Cavaneau. There have been no objections. The Findings and Recommendations are adopted in their entirety as this Court's findings.

Accordingly, Defendants' motion to dismiss in part (doc. 94) is hereby granted. Plaintiff's claims against Defendants Gonzalez, Sanders, and the Department of Justice are dismissed with prejudice. Plaintiff's Federal Tort Claims Act (FTCA) claim for genital warts is dismissed with prejudice. Defendants' position advocating dismissal of Plaintiff's genital wart claim pursuant to the Prison Litigation Reform Act's exhaustion requirements is moot.

Plaintiff's FTCA and Eighth Amendment claims (concerning the delay in medical treatment in connection with his broken ankle) against Defendants Jiminez, Prince, Toliver, Toro, the USA, and the United States Bureau of Prisons shall proceed at this time.

IT IS SO ORDERED this 19th day of August, 2008.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE